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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of the Sudan*

A. Purpose and general obligations (arts. 1-4)

1. Please provide information on the efforts made to incorporate fully the Convention into national law, including through further revision of the Persons with Disabilities Act 2009, and to adopt a human rights-based approach to disability in all laws, policies and decisions, in consultation with representative organizations of persons with disabilities.

2. Please indicate whether a disability rights impact assessment is conducted before adopting new legislation. Please also indicate whether there has been an effort made to translate the text of the Convention into all the languages spoken in the State party and to disseminate it in accessible formats.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

3. Please provide information on the steps taken to explicitly prohibit discrimination against persons with disabilities and elaborate on the current legal remedies available for persons with disabilities whose rights have been violated. Please also provide information on which measures have been taken to tackle any form of discrimination against persons with disabilities by State and non-State actors, including the private sector, the community and family members. Please provide additional information on the measures referred to in paragraphs 26 and 27 of the State party's initial report.

4. Please indicate what specific measures are in place to address intersectional discrimination of persons with disabilities who (a) are women; (b) are children; or (c) belong to an ethnic or religious minority.

Women with disabilities (art. 6)

5. Please provide information on the concrete measures taken to mainstream the rights of women and girls with disabilities in gender equality and disability legislation and policy. Please inform the Committee of any measures taken, or envisaged, to achieve full equality in law and practice for women and girls with disabilities and indicate whether such measures also take into consideration the additional forms of discrimination and stigmatization faced by women and girls with disabilities in the community and in the family.

* Adopted by the pre-sessional working group at its eighth session (4-8 September 2017).

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Children with disabilities (art. 7)

6. Please provide information on the concrete measures taken to prevent stigmatization and social exclusion of children with disabilities as well as their being hidden, and to implement the rights of children with disabilities, pursuant to article 48 of the Children's Act 2010. Please elaborate on the measures taken to criminalize violence against children with disabilities under all circumstances.

7. With reference to article 52 of the Children's Act 2010, referred to in paragraph 32 (c) (v) of the initial report, please clarify whether child labour is fully prohibited and whether any specific safeguards to ensure implementation are in place with regards to children with disabilities.

Awareness-raising (art. 8)

8. Please provide further details on any measures taken to promote awareness regarding the human rights model of disability throughout the entire country.

Accessibility (art. 9)

9. Please inform the Committee of efforts being made to extend accessibility standards to all areas with legally enforceable sanctions and to remove existing barriers. Please elaborate on any plans to ensure the provision of information in accessible formats across all sectors (education, justice, health, development, etc.).

Right to life (art. 10)

10. Please indicate whether any person with disabilities has been sentenced to death. Please provide information on the measures being taken to abolish the death penalty.

Situations of risk and humanitarian emergencies (art. 11)

11. Please indicate the steps taken to address and improve access to food, adequate medical care and shelter for persons with disabilities in those regions of the State party affected by conflict.

12. Please elaborate on measures taken to protect the rights of persons with disabilities who are internally displaced, refugees or asylum seekers.

Equal recognition before the law (art. 12)

13. Please provide information on any steps taken to achieve full compliance with article 12 of the Convention and the Committee's general comment No. 1 (2014) on equal recognition before the law.

Access to justice (art. 13)

14. Please provide information on tribal courts and whether any regulations and monitoring mechanisms are in place to ensure that they abide by the State party's obligations under the Convention.

15. Please provide information on the measures taken to ensure that all persons with disabilities benefit from access to justice, including legal aid, procedural accommodations and information and communication in accessible formats, including sign language, Braille and Easy Read formats.

16. Please provide information on the number of cases of violence against persons with disabilities, especially women, girls and boys with disabilities, that have been successfully prosecuted since 2010.

Liberty and security of the person (art. 14)

17. Please inform the Committee of any measures taken to prevent and prohibit the confinement of persons with disabilities based on their impairment, including forced hospitalization and institutionalization.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

18. Please provide information on any safeguards to protect persons with disabilities against torture or cruel, inhuman or degrading treatment or punishment, including at the provincial level. Please provide specific information on any measures taken to prohibit treatment without free and informed consent, including any form of medical treatment and treatment by traditional healers, seclusion and the use of chemical or physical restraints on persons with disabilities, especially those with psychosocial and/or intellectual disabilities.

19. Please elaborate on the measures taken to criminalize and prevent genital mutilation of women and girls in law and in practice throughout the country, and whether such measures include particular safeguards for women and girls with disabilities.

Freedom from exploitation, violence and abuse (art. 16)

20. Please provide information on the prevalence and trends of different forms of violence against persons with disabilities, including violence inflicted on persons with intellectual and/or psychosocial disabilities in order to "cure" them, and on the mechanisms to provide redress for persons with disabilities exposed to violence as a result of their gender or age. Please indicate the measures in place to fully criminalize the use of violence in all settings.

21. Please elaborate on measures taken to protect women and girls with disabilities against violence, including sexual violence, and to ensure that this violence is criminalized and reported and that persons with disabilities exposed to violence have access to measures of redress and rehabilitation, which adequately punish perpetrators, including in conflict-affected regions.

Protecting the integrity of the person (art. 17)

22. Please clarify whether sterilization without the free and informed consent of women and girls with disabilities is explicitly prohibited.

Living independently and being included in the community (art. 19)

23. Please elaborate on the measures taken to build up community support services so as to ensure independent living in the community. Please indicate whether persons with disabilities have access to personal assistance if necessary and, if so, based on which criteria.

Personal mobility (art. 20)

24. Please elaborate on the efforts made to provide all persons with disabilities with access to affordable assistive devices.

Freedom of expression and opinion, and access to information (art. 21)

25. Please inform the Committee of the policies and regulations in place to ensure access to information by persons with visual and hearing disabilities. Please provide information on the legislative and policy efforts made to provide access to information in accessible and usable formats, such as Braille, sign language and Easy Read formats.

Respect for home and the family (art. 23)

26. Please elaborate on measures taken to remove any legal obstacles to marriage and family foundation for persons with disabilities.

Education (art. 24)

27. Please indicate how the State party is working towards ensuring access to education for children with disabilities, with a view to implementing inclusive education, in law and in practice. Please provide information on the status of inclusive education in the National

Education Strategy 2013-2016, indicating whether a new strategy has been developed, and the progress of its implementation.

Health (art. 25)

28. Please provide information on access to health care, including for persons with psychosocial and/or intellectual disabilities. Please also provide information on the specific services in place for women and girls with disabilities in relation to access to sexual and reproductive health services and rights.

Habilitation and rehabilitation (art. 26)

29. With reference to paragraph 100 of the initial report, please elaborate on the achievements with regards to access to habilitation and rehabilitation for persons with disabilities.

Work and employment (art. 27)

30. With reference to paragraph 101 of the initial report, please inform the Committee of the measures taken to enforce article 12 of the Constitution with regards to persons with disabilities being able to access all types of employment. Please provide statistics on the number of persons with disabilities — disaggregated by disability, sex, ethnicity, impairment, age and type of employment — employed in the public and private sectors.

31. With reference to paragraph 35 of the initial report, please elaborate on how labour legislation supports and promotes the employment of women with disabilities.

Adequate standard of living and social protection (art. 28)

32. Please provide detailed information on the implementation, and the resources allocated to such implementation, of the provisions of part II of the Persons with Disabilities Act 2009 referred to in paragraph 111 of the initial report. Please indicate whether the State party carried out a national study on the incidence and prevalence of poverty among persons with disabilities and, if so, which measures have been taken to implement the recommendations from this study?

Participation in political and public life (art. 29)

33. Please inform the Committee of the measures taken to make all voting procedures accessible and to ensure the exercise of all political rights in law and in practice by persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities.

Participation in cultural life, recreation, leisure and sport (art. 30)

34. Please provide information on any progress made towards ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

C. Specific obligations (arts. 31-33)

Statistics and data collection (art. 31)

35. Please indicate the efforts made by the State party in the light of the upcoming national housing and population census (2018) to ensure the availability of data on the situation of persons with disabilities disaggregated by sex, age, ethnicity and disability. Please inform the Committee of the measures adopted to include the Washington Group Short Set of Questions on Disability in the upcoming census.

International cooperation (art. 32)

36. Please inform the Committee of any mechanisms to consult and involve Sudanese organizations of persons with disabilities in the design and implementation of international cooperation projects and programmes. Please provide information on the extent to which

the Sustainable Development Goals are being implemented in the State party with respect to persons with disabilities.

National implementation and monitoring (art. 33)

37. With reference to paragraph 16 of the initial report, please elaborate on the coordination taking place between the mechanisms in charge of implementing the rights of persons with disabilities. With reference to paragraph 128 of the initial report, please provide additional information on the National Council for Disabilities and the resources allocated to it.

38. With reference to the Committee's guidelines on independent monitoring frameworks and their participation in the work of the Committee (2016), please provide information on the measures adopted to ensure that the monitoring mechanism is independent and in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).